

Not-Mot - ZCM.wpd

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ZCM ASSET HOLDING COMPANY (BERMUDA)
LIMITED, *et al.*,

Plaintiffs,

v.

MARTIN JAMES ALLAMIAN, *et al.*,

Defendants.

JOHN H. WALDOCK, solely as Trustee of the JOHN H.
WALDOCK TRUST U/A/D 12/1/88, *et al.*,

Counterclaimants/Cross-Claimants,

v.

ZURICH CAPITAL MARKETS INC., *et al.*,

Counter-defendants,

and

M.J. DIVERSIFIED FUND, L.P., *et al.*,

Cross-defendants.

DOCKETED

JAN 22 2003

No. 01 C 6250

Hon. Amy J. St. Eve

FILED
JAN 17 2003
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

NOTICE OF MOTION

TO: See attached service list

PLEASE TAKE NOTICE that on Wednesday, January 23, 2003 at 9:00 a.m., or as soon thereafter as I may be heard, I will appear before the Hon. Amy J. St. Eve in the courtroom usually occupied by her in the United States Courthouse, 219 South Dearborn Street, Chicago, Illinois 60604, and then and there present the AGREED MOTION FOR ISSUANCE OF ORDER TO DEPARTMENT OF STATE FOR PASSPORT RECORDS OF DEFENDANT MARTIN ALLAMIAN, a copy of which is hereby served upon you.

Respectfully submitted,

Constantine R. Zolner
One of the attorneys for Movants

GEKAS & ASSOCIATES, LTD.
Suite 1020

288

Eleven South La Salle Street
Chicago, Illinois 60603
(312) 726-4501

CERTIFICATE OF SERVICE

I certify that on 1/17/03, a copy of the foregoing was served on the following persons by facsimile and first class mail unless otherwise shown:

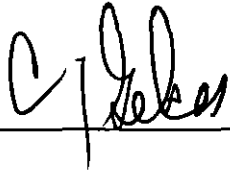
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BROADCAST REPORT

TIME : 01/17/2003 10:15
 NAME : GEKAS & ASSOCIATES
 FAX : 3127264505
 TEL : 3127264501
 SER.# : BRQJ2J643054

PAGE(S)

10

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
01/17	09:58	BOIES ARMONK	02:40	10	OK	ECM
01/17	10:02	ROSS HARDIES	02:25	10	OK	ECM
01/17	10:05	JENNER	02:23	10	OK	ECM
01/17	10:13	BOIES NYC	02:14	10	OK	ECM

BUSY: BUSY/NO RESPONSE
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Passport Mot.wpd

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CLERK, U.S. DISTRICT COURT

**AGREED MOTION FOR ISSUANCE OF ORDER
TO DEPARTMENT OF STATE FOR PASSPORT RECORDS
OF DEFENDANT MARTIN ALLAMIAN**

Intervenors respectfully file this Agreed Motion for issuance of an order to the U.S. Department of State's Passport Service for copies of the passport records of Martin Allamian.

Mr. Allamian was ordered to lodge his passport with the Court, but when he did so he lodged a passport that had expired on March 31, 2002.

Thereafter, he filed an affidavit stating the following:

288

I am aware that my passport expired on March 31, 2002. I do not have a valid passport in my possession. I did not apply for a new passport after my prior passport expired on March 31, 2002.

Mr. Allamian's affidavit leaves unexplained the possibility that he applied for a new passport before March 31, 2002 and it is in someone else's possession.

There is a simple and inexpensive way to determine the status of his passport – an order to the Passport Service for his records.

Attached as Exhibit 1 is the information from the Passport Service's webpage stating how such information can be obtained. One method is by court order to the Research & Liaison Section of the Passport Service of the Department of State.

Intervenors request the issuance of such an order.

Courtney Rockett, one of Plaintiffs' attorneys, and Michael Chabraja, the attorney for Mr. Allamian and the other Allamian Defendants, have authorized undersigned counsel to state that they have no objection to this Motion.

A draft order is tendered herewith.

WHEREFORE, Intervenors ask that the Court issue an order to the Department of State's Passport Service for the passport records of Martin Allamian.

Respectfully submitted,


One of the attorneys for Intervenors

GEKAS & ASSOCIATES, LTD.
Suite 1020
Eleven South LaSalle Street
Chicago, Illinois 60603
(312) 726-4501
(312) 726-4505 (Fax)

CERTIFICATE OF SERVICE

I certify that on 1/17/03, a copy of the foregoing was served on the following

persons by facsimile and first class mail unless otherwise shown:

David P. Sanders/Chadwick O. Brooker
JENNER & BLOCK LLC
One IBM Plaza
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ROSS & HARDIES
150 North Michigan Avenue - Suite 2500
Chicago, IL 60601-7567

Michael Anthony Alesia (Mail only)
ALESIA, ALLAMIAN & MENCONI
1111 Plaza Drive, Suite 690
Schaumburg, IL 60173



A handwritten signature in cursive script, appearing to read 'Michael Alesia', is written over a horizontal line.

Passport Mot.wpd

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FOR THE NORTHERN DISTRICT OF ILLINOIS
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ZCM ASSET HOLDING COMPANY (BERMUDA)
LIMITED, *et al.*,

Plaintiffs,

v.

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Defendants.

No. 01 C 6250

Hon. Amy J. St. Eve

**ORDER TO THE DEPARTMENT OF STATE
REQUESTING AUTHENTICATED PASSPORT RECORDS**

This matter comes before the Court on the AGREED MOTION FOR ISSUANCE OF ORDER TO STATE DEPARTMENT FOR PASSPORT RECORDS OF DEFENDANT MARTIN ALLAMIAN, and the Court being fully advised in the premises, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The Department of State, through its Research & Liaison Section of the Passport Service is hereby requested to issue authenticated copies of the passport records of

Martin James Allamian
SSN: 354-52-3976
DOB: July 15, 1962
Gender: Male
Place of Birth: Illinois, U.S.A.

Last known residence addresses:
40 West La Fox Road, St. Charles, IL 60175
5 North La Fox, Road St. Charles, IL 60175

Prior Passport No.: 024226282 (expired March 31, 2002)

REASON FOR REQUEST: Confirmation of status of passport(s) issued to
Martin J. Allamian

2. This Order shall be served on the State Department by counsel for Intervenor in accordance with that Department's published procedures for requesting passport records.

3. The records shall be delivered to counsel for Intervenor at the following address:

Constantine John Gekas
GEKAS & ASSOCIATES, LTD.
Eleven South La Salle Street - Suite 1020
Chicago, IL 60603
(312) 726-4501
H1G@aol.com

4. Counsel for Intervenor shall serve copies of those records on all counsel of record herein.

5. Intervenor shall be responsible for all costs and fees charged by the Department of State for the request for the records.

ENTER:

Hon. Amy J. St. Eve
U.S. District Judge

Dated: _____

**SEE CASE
FILE FOR
EXHIBITS**